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1	Alan J. Kessel (Cal. Bar No.: 130707)				
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6	Attorneys for Plaintiff DIRECTV, INC.				
7	Attorneys for Flaminin DIRECTV, INC.				
8	UNITED STATES DISTRICT COURT				
9	EASTERN DISTRICT OF CALIFORNIA				
10	SACRAMENTO DIVISION				
11	DIRECTV, INC., a California corporation,	Case N	Case No.: CIV-S-04-2352 DFL PAN		
12	Plaintiff,	Hon. I	Hon. David F. Levi		
13	vs.		[PROPOSED] ORDER ON STIPULATION FOR VOLUNTARY DISMISSAL OF		
14	KIRK DIODATI,	DEFENDANT KIRK DIODATI AND REQUEST TO RETAIN JURISDICTION			
15	Defendant.				
16					
17	<u>ORDER</u>				
18	HAVING READ AND CONSIDERED the forgoing Stipulation for Voluntary				
19	Dismissal of Defendant KIRK DIODATI and Request to Retain Jurisdiction, and such other				
20	pleadings, documents and records deemed appropriate by the Court, and good cause appearing				
21	therefore, IT IS HEREBY ORDERED:				
22	(1) Defendant KIRK DIODATI ("Defendant") is hereby dismissed from this				
23	action without prejudice;				
24	(2) Each of said parties to	(2) Each of said parties to bear its/his own costs and attorneys' fees; and			
25	111				
26	111				
27	///				
28	///	_		(0)	
	BNFY 724526v1 -1- (CIV-S-04-2352 DFL PAN) [PROPOSED] ORDER ON STIPULATION FOR VOLUNTARY DISMISSAL OF DEFENDANT				
	KIRK DIODATI AND REQUEST TO RETAIN JURISDICTION				

Case 2:04-cv-02352-DFL-PAN Document 15 Filed 12/05/05 Page 2 of 2 (3) The Court shall retain jurisdiction over DIRECTV and Defendant to enforce the terms described above of the Settlement Agreement between those parties dated September 29, 2005 and hereby refers any further proceedings in this action to enforce such terms of the Settlement Agreement to a Magistrate Judge of this District. Dated: /2/2/2005 Honorable David F. Levi United States District Court Eastern District of California